

13-39-303 Administrative enforcement.

- (1) The division shall:
 - (a) investigate violations of this chapter; and
 - (b) assess cease and desist orders and administrative fines under this section for violations of this chapter.
- (2) A person who violates this chapter is subject to:
 - (a) a cease and desist order; and
 - (b) an administrative fine of not more than \$2,500 for each separate communication sent in violation of Section 13-39-202.
- (3)
 - (a) A person who intentionally violates this chapter is subject to an administrative fine of not more than \$5,000 for each communication intentionally sent in violation of Section 13-39-202.
 - (b) For purposes of this section, a person intentionally violates this chapter if the violation occurs after the division, attorney general, or a district or county attorney notifies the person by certified mail that the person is in violation of this chapter.
- (4) All administrative fines collected under this section shall be deposited in the Consumer Protection Education and Training Fund created in Section 13-2-8.

Enacted by Chapter 338, 2004 General Session